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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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ARTHUR MILAN,

Plaintiff,

*versus*

MICHAEL J. ASTRUE,  
Commissioner of Social Security  
Administration,

Defendant.

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CIVIL ACTION NO. 1:08-CV-319

**MEMORANDUM OPINION AND ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

The Court heretofore ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable law and orders of this Court. The Court has received and considered the report of the United States magistrate judge pursuant to such order, along with the record and pleadings. Plaintiff filed objections to the magistrate judge's report and recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit.

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A Final Judgment will be entered separately, affirming the decision of the Commissioner and dismissing this action.

SIGNED at Beaumont, Texas, this 6th day of February, 2010.



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MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE